

Amendments to the Drawings:

The attached nine (9) replacement sheets, representing formal drawings of FIGS. 1-10, are being submitted herewith in order to replace the originally filed informal FIGS. 1-10.

No amendments to the drawings have been made by way of this paper. These drawings contain no new subject matter. Applicant requests consideration and approval of the formal drawings by the Examiner.

Enclosures: Nine (9) replacement sheets, FIGS. 1-10

REMARKS

Claims 1-21 are now pending in the application.

In the outstanding Office Action mailed on October 24, 2005, Claims 1-5, 8, and 11-20 are rejected and Claims 6, 7, 9, and 10 are objected to.

By way of this paper, Claims 1, 3, 4, 6, 7, 9, 10, 11, 12, 13, and 15 have been amended, and new Claim 21 has been added.

The foregoing amendments and following remarks are believed to be fully responsive to the outstanding Office Action, and are believed to place the application in condition for allowance.

Formal Drawings:

Nine (9) replacement sheet of formal drawings of FIGS. 1-10, are submitted herewith. No amendments to the drawings have been made by way of this paper. Formal replacement FIGS. 1-10 are intended to replace originally filed informal FIGS. 1-10.

Applicants request consideration and approval of the formal drawings by the Examiner.

Claim Rejections – 35 U.S.C. § 112, Second Paragraph:

Claims 15-20 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

By way of this paper, independent Claim 15 is amended to particularly point out and distinctly claim the subject matter which Applicants regard as the invention so as to overcome the rejection under 35 U.S.C. § 112, second paragraph. Claims 16-20 depend either directly or indirectly from independent Claim 15. As such, Applicants respectfully request reconsideration and withdrawal of the 35 U.S.C. § 112, second paragraph, rejection of Claims 15-20.

In a telephone interview on January 17, 2006, between Attorney Roger A. Fields and Examiner Stephen M. Brinich, it was agreed that amending Claim 15, line 10, to change "show" to "shows" obviates the rejection under 35 U.S.C. § 112, second paragraph, and renders the claim allowable. Thus, Claims 15-20 should be allowed.

Allowable Subject Matter:

Claims 6, 7, 9, and 10 are objected to as each being dependent upon a rejected base claim, but are indicated to each be allowable in substance. See paragraph number 9 in the outstanding Office Action.

Accordingly, Claim 6 is amended to include Claims 1 and 3; Claim 7 is amended to include Claim 1; Claim 9 is amended to include Claims 1 and 8; and Claim 10 is amended to include Claims 1 and 8. As amended, Claims 6, 7, 9, and 10 are each independent claims.

Claims 15-20 would be allowable if amended to overcome the rejection under 35 U.S.C. § 112, second paragraph. As indicated above, Claim 15 is now amended to overcome the rejection.

Claim Rejections – 35 U.S.C. § 102:

Remaining Claims 1-3, 8, and 14 are rejected under 35 U.S.C. § 102(e) as being anticipated by the 6,431,679 reference.

Independent Claim 1 has been amended to recite "wherein the plurality of tone scale transformations comprise a transform having a plurality of fitting parameters and wherein information obtained from the plurality of tone scale transformations comprises information that relates image intensity ratios corresponding to the at least two inking levels to values of each of the fitting parameters".

As such, amended Claim 1 is patentable over the Li et al. reference. Li et al. compares a newly-created test curve with a set of standard calibration curves (box 1156 in FIG. 11) derived from serial evenly spaced gray patches (boxes 1010 and 1050 in FIG. 10). See column 8, lines 4-26, and column 9, lines 22-45, in Li et al. This is different than what is called for in amended Claim 1.

Accordingly, reconsideration and withdrawal of the 35 U.S.C.
§ 102 rejection of Claim 1 is requested.

New Claim 21:

Support for new Claim 21 can be found in the application at page 9, lines 22-24. New Claim 21 depends from independent Claim 1.

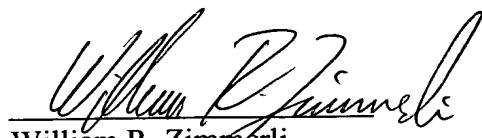
New Claim 21 recites "the tone scale transformation is selected by selecting values for each fitting parameter that best matches the gathered data for the known printing system and the known substrate" This is not disclosed in Li et al. Li et al. compares a newly-created test curve with a set of standard calibration curves (box 1156 in FIG. 11) derived from serial evenly spaced gray patches (boxes 1010 and 1050 in FIG. 10). See column 8, lines 4-26, and column 9, lines 22-45, in Li et al.

Conclusion:

It is respectfully submitted that, in view of the above amendments and remarks, this application is now in condition for allowance, a prompt notice of which is earnestly solicited.

The Examiner is invited to call the undersigned in the event that a phone interview will expedite prosecution of this application towards allowance.

Respectfully submitted,



William R. Zimmerli
William R. Zimmerli
Attorney for Applicant(s)
Registration No. 45,287

WRZ:cvn

Enclosures (To include: Nine (9) formal replacement sheets, FIGS. 1-10)
Rochester, NY 14650-2201
Telephone: (585) 588-2758
Facsimile: (585) 477-4646